

NOV 16 2011

Attachment A
STATEMENT OF FACTS

AT GREENBELT
CLERK U.S. DISTRICT COURT
DISTRICT OF MARYLAND

BY _____ DEPUTY

The parties stipulate and agree that had this case gone to trial, the government would have proven the following facts beyond a reasonable doubt. The parties further stipulate and agree that these facts do not encompass all of the facts which would have been proven at trial.

In or about December 2006, until in or about August 2008, the Defendant, George Sell, and others, conspired to operate a web-based bulletin board called the "Country Lounge." "Country Lounge" was a secure website that traded images of child pornography. Members could join "Country Lounge" only by invitation and after approval by the administrators of the site. As of August 2008, "Country Lounge" had 142 members. "Country Lounge" identified certain members who operated the site with various titles, including "Root Administrator," "Administrators," "Moderators," "Global Moderators," "Trusted or Special Members," and "Members." Each level of membership contained different responsibilities relating to the operation of "Country Lounge." For example, the position of "Root Administrator" was considered the highest staff level and indicated responsibility for the day-to-day management of the site. "Administrators" were considered to hold the second highest management positions and shared the day-to-day management responsibilities on "Country Lounge" with the "Root Administrator." "Moderators" were members responsible for monitoring posts for compliance with its rules, and "Trusted or Special Members," were members who may be assigned any variety of management responsibilities. Each member on "Country Lounge" was identified by a unique username. The Defendant's username was "Buttface." As discussed below, the Defendant was the "Root Administrator" and day-to-day manager of "Country Lounge."

"Country Lounge" was a password-protected bulletin board which was divided into different subject areas. Upon entering the bulletin board, a member viewed a welcome screen and was able to choose to visit various forums within the board, including: 1) the welcome area where rules and guidelines were posted; 2) an administrator's round table "where the bosses can hold their meetings;" 3) "Girlie Picture Rooms;" 4) "Zips, Rips, and Rars;" and 5) a "History of our Community" area, which contained various documents and discussions regarding the history of collecting child pornography. Within forums such as "Girlie Pictures Rooms," "Movie Theater," and "Zips, Rips and Rars," there were areas containing preview images of children and advertisements (in the form of hyperlinks) directing members to images of child pornography. A number of the forums were segregated into "Buff" (nude) or "non Buff" (non-nude) categories and were further categorized by the ages of the children depicted in the images. For example, both the "Movie Theater" and "Girlie Picture Room" forums contained "Buff" subforums which were further categorized into "Buff Young'ns" for images depicting children 12 years old and younger, "Buff Teens" for images depicting children between 13 and 17 years old, and "18+ Buff Models" for images depicting those over 18 years old.

In accordance with the "Country Lounge" rules, members would primarily post non-child

pornographic images that could be viewed on the board itself, as preview images, with accompanying hyperlinks to the actual child pornographic content they wanted to share. Upon joining the board, the administrators provided members with instructions regarding how to securely post preview images and hyperlinks. For example, members were instructed to alter a part of the URL address of any posted hyperlink so that the link would not be active, thus requiring other members to manually enter the URL address in the Internet browser making appropriate changes to the URL address to navigate to the posted material. In addition, members were instructed to password-protect any files posted to the board and to provide the password in the posting so that other members could access the files. The rules stated that members would be banned if they did not follow these security procedures for the protection of the board.

One of the "Country Lounge" rules stated, in part, "Do not post links to Child Pornography, as defined by U.S. laws, and do not ask for it. Violation of this rule will get you banned and reported to the Administrators of other boards, and, in some cases, reported to authorities." Despite this stated rule, the main purpose of "Country Lounge" was to facilitate the trading of images of child pornography, and all members were expected to actively post new child pornographic material.

In or about August, 2008, law enforcement seized "Country Lounge" and computer forensic specialists from the Child Exploitation and Obscenity Section ("CEOS") of the Criminal Division, performed a forensic analysis and review of its contents. This review revealed several forum areas dedicated to trading images of child pornography including the "Girly Picture Rooms," (with a sub-forum: "Buff Young'ns" - "all buff models 12 and under are found here"); "Movie Theater" (sub-forum: "Buff Theater,"); and "Zips, Rips, and Rars." Computer forensic specialists and members of law enforcement observed hundreds of links in these forums, presumably redirecting users to other websites where child pornography could be found. Although many of these links were no longer active (meaning that law enforcement could no longer access these links and thus obtain images of child pornography) members of law enforcement were able to identify numerous active links redirecting them to images of child pornography. Based on its forensic analysis of "Country Lounge," law enforcement was able to access at least 10, but fewer than 150 images of child pornography from links that remained active at the time "Country Lounge" was seized.

As the "Root Administrator," and day-to-day manager of "Country Lounge," the Defendant conspired to transport images of child pornography. Specifically, in or about December 2006, the Defendant conspired with other individuals to take control of "Country Lounge" from its former owner and administrator. To this end, the Defendant directed the creation and operation of the "new Country Lounge" and received technical advice and assistance from co-conspirators to obtain his goal of creating and operating "Country Lounge." As the "Root Administrator," the Defendant directed the daily management of "Country Lounge,"

including direction over "Country Lounge's" layout and content, membership, and the "rules" of the board.

As a member of "Country Lounge," the Defendant used "Country Lounge" to both view and receive images of child pornography. An example of a post the Defendant made to the board is his reply to a message on "Country Lounge" posted on December 29, 2007 at 6:55 PM by member

"dubhelix" titled "LSM 14:04 vids . . . , the girls do light housework/make a mess." This message was posted in the "Screening Room/Movie Theater/Buf Theater/Buf Young'n Vids" forum, along with the corresponding URL and password to access the videos. The link posted by "dubhelix" indicated that he was posting videos with the following rar file names: "14-04-01.rar," "14-04-02.rar," "14-04-03.rar," and "14-04-04.rar." Forensic evidence reveals that the Defendant downloaded or transferred these same 4 video files on December 30, 2007 at 1:54 PM and posted his reply to "Country Lounge" on December 30, 2007 at 3:35 AM. In his reply post, the Defendant stated: "Oh, to be a flower petal falling in the crack. More fun with these two sweeties. Thanks so much for posting this set of vids that I didn't have." A review of the videos reveals two girls ages approximately 6-8 taking off their clothes and several parts of the video constitute a lascivious exhibition of the minors' genitals and pubic area. This video is part of the "LS series," which is a known child pornography series. On December 30, 2007, at 8:46 PM, "dubhelix" made a second post to the same forum, titled: "the last 2 LSM 14 vid sets, LSM 14-02 and 14-03" along with the corresponding URL and passwords. These video clips are identified with the following file names: "14-02-01-04.rar" and "14-03-01-04.rar."

"Dubhelix" stated in his post: "OK, the final two vid sets from LSM 14 . . . In the first set, the girls wake up in the morning, lounge around in bed, and then decide to go on a little picnic. Check out how whiney and cranky Lesya is when she first wakes up. These vids are unusual in this series, in that the girls actually wear CLOTHES for parts of them. some previews . . . " Forensic evidence indicates that on December 30, 2007 at 10:32 PM, the Defendant downloaded or transferred these same videos to his computer and on December 31, 2007 at 12:43 AM, the Defendant replied to the "Country Lounge" board and stated: "Thanks for completing the series, dbl. I had none of the LSM until now. These two are a good pair. They're like sisters more than friends." The first video reveals 2 young pre-pubescent females (between the ages of 6-8) who undress and engaged in the lascivious exhibition of the genitals or pubic area. The second video shows 2 young girls between the ages of 6-10 who are similarly engaged in the lascivious exhibition of the genitals or pubic area. The girls are naked throughout the video and are seen writing on each others' bodies with markers. Consistent with the "Country Lounge" rules, when "dubhelix" posted these videos, he posted several preview pictures (that do not constitute child pornography), which were also recovered from the Defendant's computer. These videos are part of the "LS" series, a known child pornography series.

The Defendant was the "Root Administrator" and an active member of "Country Lounge" knowing that "Country Lounge" was dedicated to trading images of child pornography.

John McKenna, Esq.
August 24, 2011
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In November, 2009, federal agents from the Department of Homeland Security Immigration and Customs Enforcement executed a search warrant on the Defendant's residence located in Cumberland, Maryland and removed, among other things, one external 200 gigabyte LaCie external USB hard drive, one 40 gigabyte Deskstar hard drive (Serial Number B2S3W5TF) and one 40 Gigabyte Western Digital hard drive (serial number WMAAN2652824).

A forensic review of these items by computer forensic specialists at CEOS indicates that these items were used or intended to be used to commit or to promote the commission of the offenses. Additionally, each of these items was found to contain child pornography images totaling approximately 150 additional images. All of these images involved prepubescent minor girls (ranging in ages of approximately 6-years- old to 12-years-old) engaged in the lascivious exhibition of the genitals or pubic area.

* * * * *


I have read this statement of facts, and carefully reviewed it with my attorney. I acknowledge that it is true and correct.

9/20/11
Date


George Carlyle Sell

I am George Sell's attorney. I have carefully reviewed the statement of facts with him.

9/20/11
Date


John M. McKenna, Esq.